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Attorneys for Plaintiffs HYNIX  
SEMICONDUCTOR INC., HYNIX  
SEMICONDUCTOR AMERICA INC., HYNIX  
SEMICONDUCTOR U.K. LIMITED, and  
HYNIX SEMICONDUCTOR DEUTSCHLAND  
GmbH

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

HYNIX SEMICONDUCTOR INC.,  
HYNIX SEMICONDUCTOR AMERICA  
INC., HYNIX SEMICONDUCTOR U.K.  
LIMITED, and HYNIX  
SEMICONDUCTOR DEUTSCHLAND  
GmbH,

Plaintiffs,

vs.

RAMBUS INC.,

Defendant.

CASE NO.: CV 00-20905 RMW

**REVISED STIPULATION AND  
~~PROPOSED~~ ORDER MODIFYING THE  
SCHEDULE FOR SUPPLEMENTAL  
BRIEFING ON REMEDY**

**STIPULATION**

1. On September 21, 2012, the Court issued its Findings of Fact and Conclusions of Law on Spoliation and the Unclean Hands Defense (“9/21 Order”). In the 9/21 Order, the Court concluded that it would “strike from the record evidence supporting a royalty in excess of a reasonable, non-discriminatory royalty.” 9/21 Order at 65:10-12. The Court directed the parties to “submit supplemental briefs, not to exceed twenty pages, addressing what a reasonable, non-discriminatory royalty rate would be with respect to the patents-in-suit. The briefing shall address specifically the royalty rates obtained by Infineon, Samsung, and any other relevant competitors of Hynix.” *Id.* at 65:15-17. Hynix’s brief was to be submitted on or before October 12, 2012, and Rambus’s brief presently was to be submitted on or before October 26, 2012. *Id.* at 65:18-66:1.

2. Hynix intends to address in its brief the royalty rates obtained from Rambus by Infineon, Samsung and Elpida, with reference to certain license agreements between those entities and Rambus. The license agreement between Rambus and Infineon has already been produced in this case and is available for Hynix’s use in its supplemental brief. The more recent license agreements between Rambus and Samsung and Elpida, respectively, have not been produced to Hynix in this case. Without conceding that those license agreements are, in fact, relevant to the Court’s analysis, Rambus provided notice to Samsung and Elpida (as required under the licenses) of Hynix’s request for the agreements, and waited the requisite ten business days (as required under the licenses) for them to respond. Neither objected, thereby clearing the way for Rambus to provide the agreements to Hynix for use in this case, upon the execution by the Court of a stipulated protective order.

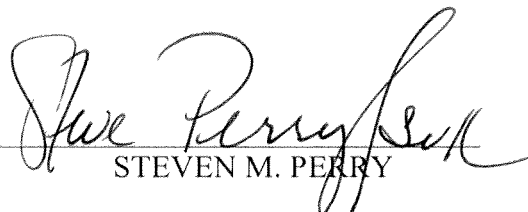
3. To provide sufficient time for the contractual notice process to run its course, the parties agree that the following modification to the current briefing schedule is necessary and appropriate, without prejudice to Hynix’s right to seek a further extension of the schedule should the Samsung and Elpida agreements not be provided in time to accommodate the schedule set forth below:

- Hynix's supplemental brief shall be submitted on or before October 30, 2012.
- Rambus's supplemental brief shall be submitted on or before November 13, 2012.

IT IS SO STIPULATED.

DATED: October 22, 2012

By: \_\_\_\_\_

  
STEVEN M. PERRY

MUNGER, TOLLES & OLSON LLP  
Attorneys for RAMBUS INC.

DATED: October 22, 2012

By: \_\_\_\_\_

  
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HYNIX SEMICONDUCTOR U.K.  
LIMITED, and HYNIX  
SEMICONDUCTOR DEUTSCHLAND  
GmbH

**ORDER**

IT IS SO ORDERED.

DATED: \_\_\_\_\_

~~FORG~~

  
Hon. Ronald M. Whyte  
United States District Court Judge